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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/635,276	08/09/2000	H. Craig Dees	PHO-113	4947

7590

11/23/2004

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EXAMINER

EPFS FORD, JANET L

ART UNIT

PAPER NUMBER

1635

DATE MAILED: 11/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## DETAILED ACTION

### *Response to Amendment*

1. The reply filed on 9-03-04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): In order to overcome the Double Patenting rejection set forth in the Office Action mailed 3-01-04, Applicants stated (see page 21 of the response filed 9-03-04) that Terminal Disclaimers for applications 09/900,355 and 10/331,735 were filed with the response of 9-03-04. However, only one Terminal Disclaimer (for application 09/900,355) was submitted with the response filed 9-03-04.

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

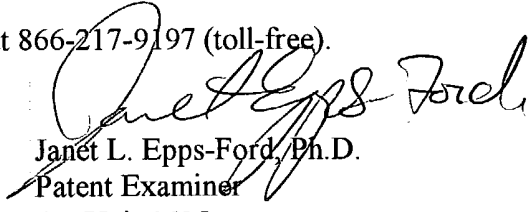
3. The Information Disclosure Statements submitted by Applicants on 6-04-2004 and 9-03-04 were considered by the Examiner, see the attached initialed pages.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet L. Epps-Ford, Ph.D. whose telephone number is 571-272-0757. The examiner can normally be reached on Monday-Saturday, Flex Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John L. LeGuyader can be reached on 571-272-0760. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Janet L. Epps-Ford, Ph.D.  
Patent Examiner  
Art Unit 1635

*JLE*